

)	
Cambridge Electric Light Company,)	
Commonwealth Electric Company, Boston)	D.T.E. 03-47
Edison Company,)	
NSTAR Gas Company, d/b/a NSTAR)	
)	

The Attorney General requests that the Department of Telecommunications and Energy (“Department”) stay the procedural schedule pending the resolution of the Attorney General’s motion to dismiss, or, in the alternative, resuspend the effective date of the proposed tariff until October 31, 2003, and revise the procedural schedule to permit full investigation of the proposal. As grounds for this motion, the Attorney General states the following:

1. The interests of administrative efficiency support this request to stay the proceedings. The motion to dismiss, if successful, would resolve the entire proceeding. If the proceedings are not stayed while the motion to dismiss is pending, parties would need to spend substantial resources on further discovery, preparing testimony, hearings and briefs. These efforts would overlap with preparation for hearings in the KeySpan general rate case, D.T.E. 03-40.
2. In the alternative, the Department should resuspend the effective date of the proposed tariffs until October 31, 2003, and adopt a procedural schedule that permits a full investigation of the proposed tariff. G. L. c. 25, §18. Under the proposed procedural

schedule discussed by the Hearing Officer, intervenor testimony would be due in only two weeks and evidentiary hearings would be completed in less than three weeks from today. This schedule does not provide sufficient time to investigate this important matter.

3. NSTAR's proposal is complex. It seeks a significant change in Department precedent on recovery of major cost items. If new precedent is established for NSTAR, other companies are likely to seek similar reconciling treatment, as KeySpan has proposed in its general rate case.
4. NSTAR has presented no reason that it needs a decision from the Department before October 31, 2003.

WHEREFORE: The Attorney General requests that the Department stay the procedural schedule and extend the tariff suspension period for additional three months.

RESPECTFULLY SUBMITTED,

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